



Key Timelines in the School-Age Special Education System

IMPORTANT: ELC's publications are intended to give you a general idea of the law. However, each situation is different. If, after reading our publications, you have questions about how the law applies to your particular situation, contact us for a referral, or contact an attorney of your choice.

60 Calendar Days (minus summers) to Evaluate: A school district has **60 calendar days** (excluding the summer months) from the date a child's parent signs a Permission to Evaluate (PTE)-Consent Form to evaluate the child and issue an Evaluation Report (ER). If a parent writes a letter to the school requesting an evaluation, the school must then make the Permission to Evaluate-Consent Form "readily available." If the parent orally requests an evaluation, the school must provide the parent with a form to put her request in writing within **10 calendar days** of the oral request.

Evaluation Report Given to Parents 10 School Days Before IEP Team Meeting: The school district must provide the parents with a copy of the Evaluation Report at least **10 school days** before the Team meets to develop the child's special education program. Parents can waive this requirement in writing.

IEP Team Meets Within 30 Calendar Days: If the child is found to be eligible for special education services, a Team (which includes, at minimum, the child's parents, a special education teacher, an administrator, and, in most cases, a regular education teacher) must meet to develop the child's Individualized Education Program (IEP) within **30 calendar days**. The IEP is the written document that is the "contract" between the parents and the school. It lists the child's goals and the services the school will provide to the child to help meet those goals.

School Implements IEP Within 10 School Days: After the IEP Team meets and develops the IEP, the school must start to provide all the services included in the

IEP no later than **10 school days** after its completion.

IEP Must Be In Effect at Beginning of Each School Year: The school must make sure that every child who gets special education services has an IEP in place at the beginning of each school year.

Extended School Year Determination Made by February 28th for Children with Severe Disabilities: The IEP Team must meet by **February 28th** of each school year to determine a child's need for Extended School Year (ESY) services over the summer months or at other times when school would not usually be in session for children with severe disabilities (such as children with autism, serious emotional disturbance, severe mental retardation, and severe multiple disabilities). For children with less severe disabilities, the IEP Team must make a determination about a child's eligibility for ESY services each year in a "timely manner."

IEP Must Be Reviewed at Least Once a Year: The child's IEP Team must review the IEP at least annually. The IEP can be reviewed more often than once a year, and any IEP Team member (which includes the parents) can request a meeting at any time.

Reevaluation Occurs At Least Every Three Years (Two Years for Children with Mental Retardation): Children who are eligible for special education services must be reevaluated at least **once every three (3) years**, or sooner if necessary. Parents can be asked to waive the three-year reevaluation, but parents should think very carefully before doing so. **Children with mental retardation must** be reevaluated at least **once every two (2) years**.

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